

Sir, I have now performed the duty I had proposed, so far as my own views of this subject are concerned. In conclusion I propose to offer those of one, whose sound intellect, whose ripe judgment, whose great experience and profound wisdom, entitle his opinions to infinitely more attention than any I could offer. The accomplished and eloquent author of the eulogy from which I read—the distinguished Horace Binney, declares:—"These sentiments are worthy of the profoundest consideration. They were the last legacy of his political wisdom, from an incorruptible patriot, and one of the wisest of men. Standing as it were on the verge of life, free from all mixture and stain of selfish motive, having nothing to hope, nothing to fear from men, they are the parting testimony of his pure and disciplined reason. They are worthy of being written on the tables of the heart; and if elsewhere, they may be disregarded in the spirit of change, or in the lust of experiment, let them animate us to preserve what we have, and to transmit it to our children." Such is the character of the last counsel given to the assembled rulers of the land of his birth, his home, his affections; of the land in which he was soon to close his long and useful life. And here are the words he uttered, "with the fervor and almost with the authority of an Apostle"—the words of CHIEF JUSTICE MARSHALL:—

"The argument of the gentleman (he said) goes to prove not only that there is no such thing as judicial independence, but that there ought to be no such thing—that it is unwise and improvident to make the tenure of the judge's office to continue during good behavior. I have grown old in the opinion that there is nothing more dear to Virginia, or ought to be more dear to her statesmen, and that the best interests of our country are secured by it. Advert, sir, to the duties of a judge. He has to pass between the government and the man whom that government is prosecuting, between the most powerful individual in the community, and the poorest and most unpopular. It is of the last importance, that in the performance of these duties he should observe the utmost fairness. Need I press the necessity of this? Does not every man feel that his own personal security, and the security of his property, depends upon that fairness. The judicial department comes home in its effects to every man's fire-side—it passes on his property, his reputation, his life, his all. Is it not to the last degree important, that he should be rendered perfectly and completely independent, with nothing to control him but God and his conscience." "I acknowledge that in my judgment the whole good which may grow out of this Convention, be it what it may, will never compensate for the evil of changing the *judicial tenure* of office." "I have always thought from my earliest youth till now, that the greatest scourge an angry heaven ever inflicted upon an ungrateful and a sinning people, was an ignorant, a corrupt, or a dependant judiciary."

In the language of this venerated man, I unite

most devoutly, in the prayer to a merciful God, to spare us from that "greatest scourge an angry heaven ever inflicted upon an ungrateful and a sinning people."

The Convention then adjourned until to-morrow morning at 9 o'clock.

FRIDAY, April 18, 1851.

The Convention met at nine o'clock.

Prayer was made by the Rev. Mr. GRIF-
FITH.

The roll was called,

And a quorum being present,

The journal of yesterday was read.

Mr. BISER said, he had yesterday given notice that he would to-day move to re-consider the vote of the Convention upon the proviso submitted by Mr. BRENT, of Baltimore city, on the 9th instant, to the forty-third section of the report of the committee on the Legislative department of the government. He found that many gentlemen were absent, and as he desired to have a full vote, he would not press the motion to-day. He gave notice, therefore, that he would call it up on Tuesday next.

Mr. THOMAS suggested that the motion should be made now, and that its consideration should be postponed.

Mr. BISER said, he had no objection.

Mr. DAVIS remarked that some friends were absent who desired to vote on this proposition. He was sure that the gentleman, (Mr. Biser,) was too generous to desire the question to be taken before their return. And he (Mr. D.) suggested Thursday next.

Mr. BISER, acquiescing, said that he would call the motion up on that day.

On motion of Mr. STEWART, of Caroline, it was

Ordered, That it be entered upon the journal that the absence of Mr. CARTER, from the Convention, is occasioned by the illness of a member of his family.

THE PENDING DEBATE.

Mr. ANNAN submitted the following order:

Ordered, That the general debate on the report of the judiciary committee, shall terminate on Wednesday next at one o'clock, when each amendment then pending, and every amendment thereto that may afterwards be offered, shall be passed upon without further discussion, other than such explanatory remarks, not extending beyond ten minutes, as the member who has offered or may offer such amendments respectively may desire to make.

The order having been read,

A debate of considerable length followed, [the minutes of which were as follows:]

Mr. BOWIE hoped, he said, that the order would not be adopted. He did not see the necessity at present, of fixing any day for the the termina-